

COMMISSION DECISION

of 1 June 1976

on the refusal to accept the scientific character of an apparatus known as 'BUCHER TS-150 Injection Press' with the injection mould required for its operation

(76/545/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials⁽¹⁾,

Having regard to Commission Regulation (EEC) No 3195/75 of 2 December 1975 laying down provisions for the implementation of Regulation (EEC) No 1798/75⁽²⁾, and in particular Article 5 thereof,

Whereas, by letter dated 16 January 1976, the Belgian Government requested the Commission to determine whether or not the apparatus known as 'BUCHER TS-150 Injection Press' with the injection mould required for its operation should be considered to be a scientific apparatus;

Whereas, in accordance with Article 4 (5) of Regulation (EEC) No 3195/75, a group of experts composed of representatives of all of the Member States met on 5 May 1976 within the Committee on Duty-Free Arrangements to examine this particular case;

Whereas this examination shows that the apparatus concerned consists of an injection press of common usage, clearly capable of use for all commercial

purposes requiring injection moulding; whereas it has no particular intrinsic device to allow of its specific use for scientific purposes; whereas the form of the mould adapted to this apparatus is not sufficient to give it the character of scientific apparatus;

Whereas it does not therefore possess the character of a scientific apparatus;

HAS ADOPTED THIS DECISION:

Article 1

The undermentioned apparatus is not hereby considered to be a scientific apparatus: 'BUCHER TS-150 Injection Press' with the injection mould required for its operation.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 1 June 1976.

For the Commission

Finn GUNDELACH

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 316, 6. 12. 1975, p. 17.